

# MYSORE LEGISLATIVE ASSEMBLY

*Friday, 1st March 1968.*

The House met in the Assembly Chamber, Vidhana Soudha, Bangalore, at Thirty Minutes past Eight of the Clock.

MR. DEPUTY SPEAKER [SRI D. MANJUNATH,] in the Chair.

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## Members' Representations

MR. DEPUTY SPEAKER.—Presentation of Budget by the Hon'ble Minister for Finance,

SRI H. SIDDAVEERAPPA (Horiara).—I have given privilege motion under Rules 177 and 178. I request you to kindly permit me to move that motion.

MR. DEPUTY SPEAKER.—It is not a question of privilege.

SRI H. SIDDAVEERAPPA.—I shall just, with your permission, read what my motion is.

MR. DEPUTY SPEAKER.—The Hon'ble Member has asked for some information and the Government are collecting it.

SRI H. SIDDAVEERAPPA.—Yesterday they have stated they take 12 days to furnish the information. Immediately after the presentation of the Budget is over, general discussion on the Budget commences. What all I have wanted is to understand the correct position of the finances of the State so that we may have some material to base our inferences or conclusions when we offer our remarks on the Budget. If this information is provided to me 12 days later on, what is the purpose and what will be served? After all, we have come here with a definite purpose to serve the State in our capacity as representatives of the people and unless and until the figures that are in the possession of the Government which are public figures regarding public finances are disclosed in time, how can we discharge our duty? I gave notice 15 days before this session commenced so that sufficient time may be available to them. But they now come forward with the explanation stating that it takes a lot of time and some figures are available and some figures may not be available. I have a right to get it. There is also a ruling that before the Budget is presented, whatever material any Hon'ble Member wants, it shall be the duty of the Treasury Benches to furnish. I would therefore like to read my motion.

**Mr. DEPUTY SPEAKER.**—I withhold my consent because yesterday the Minister has stated that information is being collected and it is voluminous. The member has asked for 20 years information Government have not refused to give it.

**Sri H. SIDDAVEERAPPA.**—As a layman, I know where figures are readily available.

**Mr. DEPUTY SPEAKER.**—Then where is the question of privilege?

**Sri H. SIDDAVEERAPPA.**—The privilege motion arises this way. These gentlemen tell us every time that they have no finances and without finances they cannot do this and they cannot do that. We want to know how much of these finances have been ploughed back to unproductive works and also to give loans to their favourites which probably they may not be able to realise or recover so that we may tell them how they should manage the finances and where they have erred. It is with that purpose those figures have been sought and if they say they cannot get it because it is voluminous and all that, it is a lame excuse. If they make up their mind, the figures are there at the tip of their fingers and only they do not want to give us. That is all the position. Therefore, Sir, I feel that my privilege and ultimately and also incidentally the privilege of this House is also involved. We have not asked for it in a vain manner. I have only asked for it because they have been some times saying we have been talking in a wild manner without knowing this, without knowing that and without having adequate data. Just to have that adequate data. I have been requesting them. Therefore, Sir, I want to read what my motion is for your consideration.

**Sri RAMAKRISHNA HEGDE (Minister for Finance and Planning).**—I have to say only this much. I very well appreciate the Hon'ble Member's argument and also anxiety to get as much information as possible about the finances of the State. He should also appreciate that the whole Finance Department was engaged in the work of preparation of the Budget. He has asked information with regard to 17 items and this information has to be collected from various Departments. It is not as though the Government has withheld any information or intends to withhold any information. Actually if the Hon'ble Member takes pains to collect the necessary literature from the Legislative Assembly Library, all this information can be gathered because whatever information he has asked for have been furnished already in the Budget estimates pertaining to the respective years.

**Sri H. SIDDAVEERAPPA.**—Not the latest.

**Sri RAMAKRISHNA HEGDE.**—Latest I am giving today in my Budget speech.

**Sri H. SIDDAVEERAPPA.**—If it is possible for me to collect, what is it that prevents you to give it to me?

**Sri S. NIJALINGAPPA (Chief Minister).**—What is it that prevents you to get it?

**Sri RAMAKRISHNA HEGDE.**—Every year when budget estimates are placed before this House, all information regarding finances, etc., is also furnished along with the Budget estimates. Therefore, if the Hon'ble Member wants me to collect or the Government to collect information for him and furnish the same to him, what the Deputy Minister already submitted to the House is that we wanted more time, may be it would be possible for us to furnish information in less than 12 or 14 days. I am as anxious as the Hon'ble Member to supply the necessary information not only to this Hon'ble Member but to all other members so that they can understand the position exactly and effectively participate in the discussion on the Budget.

**Sri H. SIDDAVEERAPPA.**—It was said that all this information is available. All the information that I now ask for I can myself collect, and I can assure you that if I can lay my hand and collect all this information I would not have troubled the Finance Minister or his Deputy or the Government. I have been asking for this information which is exclusively in the possession of the Government and that too in the Department of Finance and Planning. Therefore, I have been asking for it, not for any purpose, but to understand where we are standing with regard to the public finances of the State. Now to say we will collect, we will give it, but it takes time and all that is not fair if it takes time for a big machinery like the Government, how much time would it take for me to collect it? I assure you that it is not available anywhere except with the Finance Department and the Planning Department. I only want that they should give us this information before the budget discussion commences. We do not want some members from your side to say we go on talking in the air and we are talking aimlessly without facts and figures. How on earth we can get facts and figures unless you give them?

**Sri S. NIJALINGAPPA.**—That has happened so far, is it?

**Sri H. SIDDAVEERAPPA.**—It has not. It is possible only when you gentlemen give Banappa Park lectures. There is neither substance. What you said yesterday is nothing but Banappa Park lecture.

**Sri H. N. NANJE GOWDA (Arkalgud).**—I have sent a very important privilege motion notice. We have to consider whether we should participate in the budget or not.

**Mr. DEPUTY SPEAKER.**—Just now the member has sent it. I have not looked into it. I will consider it.

**ಶ್ರೀ ಎಚ್. ಎನ್. ನಂಜೇಗೌಡ.**—ಮಾನ್ಯ ಮಂತ್ರಿಗಳಾದ ನಾಡಗೌಡರು ವಿಧಾನ ಪರಿಷತ್ತಿನಲ್ಲಿ ಮಾತನಾಡುವ ಕಾಲದಲ್ಲಿ ಈ ಸಭೆಯ ವಿಶ್ಲೇಷಣಾಪತ್ರವನ್ನು ಸುಮ್ಮನೆ ಕಾಲಹರಣ ಮಾಡುತ್ತಿದ್ದಾರೆ ಎಂಬುದಾಗಿ ನಮ್ಮ ಮೇಲೆ ಆಪಾದನೆ ಮಾಡಿದ್ದಾರೆ. ಮತ್ತು ಹೊರಗಡೆಯೂ ನೆಹರೂ ಮಾಡುತ್ತಿದ್ದಾರೆ. ಇದು ನಮಗಲ್ಲರಿಗೂ ಅನ್ವಯವಾಗುವ ವಿಷಯವಾದ್ದರಿಂದ ಈ ಬಗ್ಗೆ ಮಾತನಾಡಲು ನನಗೆ ಅವಕಾಶ ಕೊಡಬೇಕು. ಅಲ್ಲದೆ ಈ ಬಗ್ಗೆ ಒಂದು ನಿಲುವಳಿ ನೂಡಿಸಬೇಕು.

**ಉಪಾಧ್ಯಕ್ಷರು.**—ಈಗ ತಾನೆ ಕಳಿಸಿರುವುದರಿಂದ ಹೇಗೆ ನೋಡುವುದಕ್ಕಾಗುತ್ತದೆ?

**Sri H. SIDDAVEERAPPA.**—There is no reply to my question.

**Sri M. NAGAPPA (Raichur).**—The question of privilege that has been raised by the Hon'ble Member Sri Siddaveerappa is supported by me and I wish to submit certain important points.

**Mr. DEPUTY SPEAKER.**—The hon'ble member need not substantiate it. It is disallowed.

**Sri H. SIDDAVEERAPPA.**—You have not said so Sir.

**Sri M. NAGAPPA.**—The Hon'ble Speaker has no right to disallow this privilege motion that has been moved : Rule 177 says :

“A member may, with the consent of the Speaker, raise a question involving a breach of privilege either of a member or of the Assembly or of a committee thereof.”

Only consent is required. What is meant by ‘consent’? That is laid down under rule 179 :

“179: The right to raise a question of privilege shall be governed by the following conditions, namely :

- (i) not more than one question shall be raised at the same sitting ;
- (ii) the question shall be restricted to a specific matter of recent occurrence ;
- (iii) the matter requires the intervention of the Assembly.”

These three conditions are there.

**Mr. DEPUTY SPEAKER.**—Order, Order. The member is debating.

**Sri M. NAGAPPA.**—I am only saying that the Speaker is now seized of the Privilege motion. Now it is left to the House whether it should be referred to the Privileges Committee.

**Mr. DEPUTY SPEAKER.**—In this case, the question of breach of privilege will not arise. That is why I withheld the consent. The Treasury Benches have not refused to furnish the information asked for. They have said that they have been collecting the information. If they refuse, then the question of privilege arises.

**Sri H. SIDDAVEERAPPA.**—Is he going to furnish that information after one year ? Am I to wait till then ? I want to be heard in the matter. I have said that I want this information before the general discussion on the Budget commences. If they say they are going to give it after 10-12 days, then are you extending the discussion on the Budget until such time this information is made available ? I want to know specifically whether this information is to be given to me or not.

**Mr. DEPUTY SPEAKER.**—They have said that they are collecting the information.

**Sri H. SIDDAVEERAPPA.**—Unless my question is settled, we are not allowing the Budget Speech to be proceeded with.

**Mr. DEPUTY SPEAKER.**—It is in no way concerned with other business.

ಶ್ರೀ ಎಚ್. ಬಿ. ಜ್ವಾಲನಯ್ಯ (ಹಾಸನ).—ಶ್ರೀ ಸಿದ್ದವೀರಪ್ಪನವರು ಕಳಿಸಿರುವ 17 ಪಾಯಿಂಟ್‌ಗಳನ್ನು ನಾನೂ ಸಹ ನೋಡಿದ್ದೇನೆ. ಸರ್ಕಾರದವರು ಮನಸ್ಸು ಮಾಡಿದರೆ 24 ಘಂಟೆಯೊಳಗಾಗಿ ಈ 17 ಪಾಯಿಂಟ್‌ಗಳಿಗೆ ಉತ್ತರವನ್ನು ಒದಗಿಸಬಹುದು. ಅಲ್ಲದೆ 12 ದಿವಸ ಮುಂಚೆಯೇ 17 ಪಾಯಿಂಟ್‌ಗಳಿಗೆ ಉತ್ತರಬೇಕೆಂದು ಶ್ರೀ ಸಿದ್ದವೀರಪ್ಪನವರು ಸರ್ಕಾರಕ್ಕೆ ಕಳಿಸಿದ್ದಾರೆ. ಆದರೆ ಈಗ ಅರ್ಥಿಕ ಮಂತ್ರಿಗಳು ಲೈಬ್ರರಿಯಲ್ಲಿ ಹೋಗಿ ನೋಡಿ ಎಂದು ಹೇಳುತ್ತಿದ್ದಾರೆ. ಅರ್ಥಿಕ ಮಂತ್ರಿಗಳು ಹೇಳತಕ್ಕಂಥ ಮಾತು ಇದಲ್ಲ.

**Mr. DEPUTY SPEAKER.**—They have not said that they will not give it.

**Sri S. R. KANTHI (Minister for Law and Parliamentary Affairs).**—May I point out the relevant rule that applies here? It is Rule 180 which reads:

“The Speaker, if he gives consent under rule 177 and holds that the matter proposed to be discussed is in order...”

Unless the Speaker gives his consent, no question of privilege can be raised. The Speaker has already disallowed the motion. That means he has not given consent as required. This matter cannot be raised here.

Another point I would like to bring to the notice of the Chair is: The Hon'ble Member gave me a paper yesterday containing 17 points. I told him, by the evening today, I will get as much information as possible and supply. Yesterday night also he had phoned to me. I said that I will make an attempt to collect the information and furnish it.

**Sri M. NAGAPPA.**—My point of order as per rule 177 the consent is to be given by the Speaker.

**Mr. DEPUTY SPEAKER.**—I have not given my consent.

**Sri M. NAGAPPA.**—I have got a right to raise a point of order. Now the rule is interpreted by the Hon'ble Minister for Parliamentary Affairs. He has said that under Rule 180 unless the consent is given, the matter cannot be raised. I say under Rule 177, the consent is already there. What does consent mean? Rule 178 says:

“A member wishing to raise a question of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day the question is proposed to be raised.”

This has been done. And when once the matter has been allowed on the floor of the House, the Speaker is seized of the jurisdiction. Once it has been permitted to be raised on the floor of the House, it means that the Hon'ble Speaker has given permission and given his consent to this.

I will refer to BASU'S commentary on the Constitution—pages 614-617.

Rule 202 of the House of the People

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May's Parliamentary Practice, page 382 and Parliamentary Debates Part II page 350.

"The Speaker's function is not to judge the case. It is only where it conforms to the conditions attached to it, it should take precedence over other business"

At page 45, the Speaker's powers also have been defined: that once the matter has been taken up on the floor of the House, the question of consent will not arise. Only Rule 180 (2) will come into operation:

"If objection to leave being granted is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places and if not less than ten members rise accordingly, the Speaker shall intimate that leave is granted. When once the Hon'ble Member was permitted to read the motion, definitely it is understood that it is left to the House to consider the matter and dispose it of."

Sri S. R. KANTHI.—The Hon'ble Member is hiding something from the book. The Hon'ble Speaker will have to give consent when there is *prima facie* case. This has been raised without your knowledge; and without asking for your permission he is taking the floor of the House and arguing a point; he is doing it without your consent. You have already stated that you have disallowed it. Then where is the question of reopening it again? Neither Hon'ble Member, Mr. Nagappa nor my friend Mr. Siddaveerappa can substantiate that you have given consent and that there is *prima facie* case.

Sri H. SIDDAVEERAPPA.—The Hon'ble Minister for Parliamentary Affairs said, when I phoned to him yesterday, he would furnish the information on the points by next evening. When I phoned, I was extremely anxious that this situation should not arise. But when I came to the conclusion that these gentlemen are callous and are defiant and want to treat my request with contempt, I have come forward to exercise my right or the right of the House to know whether we would get the information or not. Even now, they must tell me whether they would give the information before the Budget discussion commences. Otherwise, I am not going to yield.

Sri S. NIJALINGAPPA.—The Minister for Parliamentary Affairs says that he would be able to give it before this evening. I do not know why the Hon'ble Member should feel sorry about it or raise this question at all. He has promised and the Member can accept.

Sri H. SIDDAVEERAPPA.—Yesterday in your presence when I raised the question, the Hon'ble Deputy Minister said that he requires twelve days.

Sri S. NIJALINGAPPA.—Whatever it is, the Minister for parliamentary Affairs has said that he is giving it by evening. Why are you worried?

Sri H. SIDDAVEERAPPA.—May I depend upon your assurance?

Sri H. M. CHANNABASAPPA (Periyapatna).—I rise to a point of order. When the Hon'ble Member Mr. Nagappa was on his legs and was putting before the House his point of order, the Hon'ble Deputy Speaker was pleased to say, 'I do not want to hear you.' Is that in order? I would like to have a ruling.

Mr. DEPUTY SPEAKER.—It is not a point of order to give a ruling.

Sri H. M. CHANNABASAPPA.—I have raised a point of order and I want the Hon'ble Speaker to give a definite ruling.

Mr. DEPUTY SPEAKER.—I have already given a ruling. There is no merit in it.

Sri H. M. CHANNABASAPPA.—You have not correctly understood me. Let me clarify.

Mr. DEPUTY SPEAKER.—I have understood him and have given a ruling. Order, Order.

Sri H. M. CHANNABASAPPA.—What is the ruling?

Mr. DEPUTY SPEAKER.—That there is no merit in the point of order raised by the Hon'ble Member Sri H. M. Channabasappa.

Sri M. NAGAPPA.—I have got another point of order, on which I want a ruling before the presentation of Budget. A tentative programme has been framed as per Rule 31. Rule 31 (1) says:

"A provisional programme of business for a session shall be sent to every member at least one week before the commencement of the session."

According to the provisional programme of business, ತಾತ್ಕಾಲಿಕ ಕಾರ್ಯಕ್ರಮದ ಪ್ರಕಾರ the Budget has to be presented on the 2nd March 1968. But the Budget is being presented on the 1st; it has been advanced to an earlier date. Can the date already fixed, be advanced is the question. I will refer to Rule 31 (4) which reads as:

"Save as otherwise provided in the rules or unless the Speaker otherwise directs no business requiring notice shall be set down for a day earlier than the day after that on which the period of the notice necessary for that class of business expires."

Rule 159 gives a definite direction as follows:

"The Annual Financial Statement or the Statement of the estimated Receipts and expenditure of the Government in respect of each financial year (hereinafter referred to as 'the Budget') shall be presented to the assembly on such day as the Governor may direct."

Accordingly when the Governor has directed the Secretary of the Legislature and the date for financial business has been fixed on 2nd

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March, it cannot be advanced without following the procedure given in Rule 31 (1). Therefore, the Budget cannot be presented today. I submit that doing so, violates the Rules of procedure, and Article 202 of the constitution. Therefore, the point of order may be upheld and the Budget may not be allowed to be presented before this House.

Mr. DEPUTY SPEAKER.—There is no violation of the rules as the Governor has fixed the day provisionally. Formerly it was fixed that the Budget may be presented on the 2nd March. But afterwards the Governor has fixed the date. Therefore, there is no merit in the point of order raised by Sri Nagappa. It was also announced in the House.

9-00 A.M.

### BUDGET ESTIMATES FOR 1968-69

(Presentation).

Sri RAMAKRISHNA HEGDE (Minister for Finance and planning).—Sir, I rise to present the Budget Estimates of Mysore State for the year 1968-69 along with the vote on account for the first three months of the year.

ಶ್ರೀ ವಾಚಾಢ್ ನಾಗರಾಜ (ಚಿಕ್ಕಪೇಟೆ).—ಸ್ವಾಮಿ, ಮಾನ್ಯ ಸಚಿವರು ಕನ್ನಡದಲ್ಲಿ ಮಾತನಾಡಿಕು. ಹಣಕಾಸಿನ ಸಚಿವರೇ, ದಯವಿಟ್ಟು ಕನ್ನಡದಲ್ಲಿ ಮಾತನಾಡಿ, ದಯಮಾಡಿ ಕನ್ನಡದಲ್ಲಿ ಮಾತನಾಡಿ. ಕನ್ನಡದಲ್ಲಿ ಮಾತನಾಡದಿದ್ದರೆ ತಮ್ಮ ಭಾಷಣವನ್ನು ಬಹುಷಃ ಅದನ್ನು ಪ್ರತಿಭಟಿಸುವುದಕ್ಕಾಗಿ ನಾನು ಸಭಾ ತ್ಯಾಗಮಾಡುತ್ತೇನೆ.

(ಇಂಗ್ಲೀಷಿನಲ್ಲಿಯು ನಿಮ್ಮ ಭಾಷಣವನ್ನು ಎರೋದಿಸುತ್ತೇನೆ, ಕನ್ನಡಕ್ಕೆ ಬಹಳ ಅನ್ಯಾಯ ಮಾಡುತ್ತಿದ್ದೀರಿ ಎಂದು ಕೂಗುತ್ತಾ ಮಾನ್ಯ ಸದಸ್ಯರು ಸಭಾ ತ್ಯಾಗ ಮಾಡಿದರು)

Sri RAMAKRISHNA HEGDE.—This is with a view to give more time to the members to discuss the Budget for the year.

Since I last presented the Budget for 1967-68, several changes have occurred in the country both in political and economic spheres. One of the important issues agitating the minds of many is the language issue. The House is aware that the State Government has already accepted the three-language formula. But as there are certain apprehensions in some quarters, I hope that steps will be taken to solve the problem to the satisfaction of all the persons concerned keeping in view the paramount importance of maintaining national solidarity and unity of the country.

The past two years have witnessed a period of exceptional stresses and strains for our economy. The conflict of 1965 had many adverse consequences on the economy of the country. Following hostilities, foreign credit was suspended which meant curtailment and stringent control of imports essential for the continued growth of the economy.